

REMARKS

Claims 1-72 were pending in the current application. Applicant has added new claim 73. No new matter has been added. Reexamination and reconsideration of all pending claims are respectfully requested.

Applicant acknowledges and appreciates the indication of allowability of claims 55-72 as well as the indication that claims 2-11, 13-18, 20-29, 31-36, 38-47, and 49-54 include allowable subject matter.

Newly added claim 73 is an apparatus claim having similarities to, for example, pending allowed method claim 55. Applicant submits that this new apparatus claim is also allowable.

Double Patenting/Terminal Disclaimer

The Office Action indicated at page 2, Section 2, that the previously submitted Terminal Disclaimer “has been disapproved as required language is missing from the terminal disclaimer.” The Office Action provisionally rejected claims 1, 12, 19, 30, 37, and 48 on the grounds of nonstatutory obviousness-type double patenting based on claims 9, 28, and 47 of U.S. Patent Application 10/650,272.

Applicant submits herewith a supplemental Terminal Disclaimer in compliance with 37 C.F.R. §1.321. Applicant respectfully submits that this terminal disclaimer is acceptably worded and includes all required language, thus overcoming these grounds for rejection.

As a result, Applicant submits that all claims, as amended, are allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all claims of the present application are in condition for allowance. Reexamination and reconsideration of all of the claims are respectfully requested and allowance of all the claims at an early date is solicited.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant believes that no fees are due in accordance with this Response beyond those included herewith, particularly a Terminal Disclaimer fee. The terminal disclaimer filed April 20, 2007 in this case was accompanied by the appropriate fee, and the present supplemental Terminal Disclaimer, disclaiming the same reference, does not require an additional fee. Should any additional fees be due, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 17-0026.

Respectfully submitted,



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Date: June 2, 2010

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